File No. 526(4)

*19*31 .

Collection No. (4)

Mysore Residency

Bangalore.

~~Pres.~~ Serial Nos. 1-6

Subject.

Acquisition of land by the Municipal Commission from Messrs. Ahmed Khan and Syed Khasim for public purpose viz. for the relief of congestion.

Previous References.	Later References.
	A 21/2/46

S. 97—(Blue).

MFP—168S&P—(M-184)—11-8-34—60,000.

NOTES AND PRECIS.

S.N. 5. Letter No. 4402-D-31, dated the 12th January 1932, from the Collector, Civil and Military Station, Bangalore.

Please see S.N. 1 and 4.

The objection raised by the owner may, if approved, be over-ruled as recommended by the Collector, C & M Station, Bangalore, and a declaration under Section 6 of the Land Acquisition Act may issue.

x Not put-up.

Draft submitted.

Sheriff
16.1.32

Sdcy

U/O No.

To

Dated 3rd July, 1932

The Collector,
Civil and Military Station, Bangalore.

CORRESPONDENCE.

No. 4402-D-31.

Office of the Collector,
Civil and Military Station, Bangalore.

Dated 29th September, 1931.

From

G. H. Cooke, Esquire, M.C., I.C.S.,

Collector, Civil and Military Station,

BANGALORE.

To

The Secretary to the Resident
in Mysore, Bangalore.

Sir,

Land Acquisition - Land and building in P.No.3 street - Relief of congestion.

Vide para.

I forward herewith a draft notification under Section 4(1) of Land Acquisition Act, for favour of approval and publication in the Residency Orders. I also enclose a plan of the land for reference and favour of return.

The cost of acquisition will be borne by the Municipal Commission.

I have the honour to be,
Sir,
Your most obedient servant,

30.9.31

COLLECTOR.

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
1 OCT 1931
Regd. No. 9354
File No. 526/31

CKN/30.9

DESPATCH
30 SEP. 1931

THE HON'BLE THE RESIDENT IN MYSORE.

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No. 157 Dated Bangalore 7th November 1931.

Notification under Section 4 (1) of Act I of 1894.

It is hereby notified that the land described in the schedule hereunder is needed for a public purpose, namely, for relief of congestion.

SCHEDULE OF LAND.

Where situated.	Name of owner.	Description of land.	Area.	Boundaries. North	East.	South	West.	Remarks.
5th Division, P. No.3 Street, Civil and Military Station, Bangalore.	Mr. Syed Khasim, No.40, P.No.3 Street, Bangalore.	Formerly Nos. 41 & 42 - now vacant land - (Building site).	525 Sq. ft.	Syed Khasim's house No.40, P. No. 3 Street.	Municipal land (road).	Municipal vacant land.	P. No. 3 Street.	The plan can be seen in the Collector's Office.
	Mr. Ahmed Khan, No.43, P.No.3 Street, Bangalore.	Premises No. 43, P.No.3 Street - (Building & Land)	275 Sq. ft. of land with 276 Sq. ft. of building thereon.					

for Secretary to the Resident.

To be published in the Residency Orders.

Copy forwarded to the Collector, Civil & Military Station Bangalore, for information, with reference to his letter No.4402-D-31, dated the 29th September, 1931.

S.N.I. A

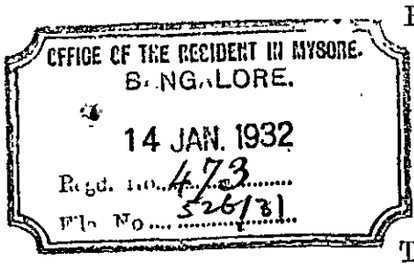
BJ

5

No. 4402-D-31.
E.4.

Office of the Collector,
Civil and Military Station, Bangalore.

Dated 12th January, 1932.



From

G. H. Cooke, Esquire, M.C., I.C.S.,

Collector, Civil and Military Station,

BANGALORE.

To

The Secretary to the Resident
in Mysore, Bangalore.

Sir,

S.N.4 D 0/1/5

Land Acquisition - Land and building - P.No.3 Street - Relief of congestion - Residency Notification No.157, dated the 7th November, 1931.

In response to the notice issued under rule 1 of Land Acquisition Rules, I received an objection petition from the owner of the vacant land proposed to be acquired a copy of which is enclosed together with a copy of the statement received from the Executive Engineer in reply to the objections. I heard the Municipal Assistant Engineer and the party under section 5 A(2) of the Land Acquisition Act and enclose copy of the statement recorded from the latter. I also inspected the land and I agree with the Executive Engineer. I see no grounds at all for the contention of the party; the vacant land is not necessary for his house. I therefore request that the Hon'ble the Resident may be pleased to over-rule the objections and direct the acquisition of the land and building.

To save delay I am sending a draft declaration under section 6 of the Act for favour of approval and publication in the Mysore Residency Orders.

The plan of the building and the land was sent to you

P-T-O.

you with my No.4402-D-31, dated the 29th September 1931.

N. I.
4

I have the honour to be,
Sir,
Your most obedient servant,

13.1.32

COLLECTOR.

13-1-32

CKN/12.1

Letter dated the 10th December 1931, from Mr.B.Seshadriengar, B.A., B.L., Advocate, 151, Chickpet, Bangalore City to the Collector, Civil and Military Station, Bangalore.

Your office No.4402-D-31 dated 11-11-1931 in connection with the proposed acquisition of certain lands etc., in P.No.3 Street, 3rd Division, Civil and Military Station, Bangalore and addressed to my client Syed Khasim, No.40 of the said Street has been placed in my hands with instructions to file his objections statement which I hereby do on his behalf as follows:-

1. That after considerable self sacrifice, personal exertions and great cost he was able to acquire by purchase the vacant land adjoining his house No.40. P.No.3 Street

2. That after so acquiring the vacant land he applied (vide his petition No.609 dated 5-1-31 addressed to the President, Municipal Commission, Bangalore) for a license to construct a building thereon for his own purposes as the premises he is now living in are absolutely insufficient for his needs; but unfortunately sanction to build was refused and license was not granted by the President, Municipal Commission.

3. That now the land on which my client had applied for sanction to build is sought to be acquired under the Land Acquisition for an alleged public purpose Viz. for relief of congestion.

4. My client submits that the land in question has open spaces (public streets & lane) on three sides of it and on the Eastern and Southern sides there are pretty large areas of vacant land. My client also submits for your consideration the fact that in the first place there is no congestion at all and even if there is any congestion at all it will not in any way be relieved and matters improved in any manner by the Government acquiring the lands referred to. My client further submits that his above allegations can easily be verified by you if you condescend to pay a visit to and inspect the locality, personally.

5. That the whole block of buildings to the east of the lands now sought to be acquired had been, on previous occasion, notified for acquisition, but on the representation of the inhabitants of the locality, the proposed acquisition was cancelled.

6. That compensation in money will not sufficiently make up for the loss he sustains in the lands etc. being acquired compulsorily

7. My client prays that he may be given an opportunity to be heard either personally or by his counsel and to explain the actual state of affairs, before final orders are passed.

8. The reports (of the Municipal officials concerned) on which the notification seems to be based are not warranted by existing facts and do not justify compulsory acquisition under the Land Acquisition Act and no public purpose will be served or achieved by such acquisition.

9. My client therefore prays that the proposed acquisition may be cancelled.

" C O P Y "

13/1

SHERISTADAR.

13-1-32

CKN.

Statement of the Municipal Executive Engineer in answer to the objections regarding acquisition of land and building in P.No.3 Street, for relief of congestion, dated the 4th January 1932.

In spite of the fact that the land in question has open space on 3 sides the whole block is congested. As a prelimanary measure the land in question and the small building adjoining it are proposed to be acquired and if and when funds permit the question of acquiring premises Nos.39 and 40, may also be taken up, so as to provide a lung in this congested area.

" C O P Y "

SHERISTADAR.

13-1

)KN.

13-1-32.

Statement of Mr. Syed Khasim, dated the 5th January 1932, before the Collector, Civil and Military Station, Bangalore.

I am the sole owner of the vacant plot proposed to be acquired. The adjoining house in which I reside is insufficient for my needs and so I want to extend it by building on the vacant land. I bought it two years ago for this purpose. If the vacan land is acquired, then my house adjoining should be acquired as well. I have been living in the house for three years.

" C O P Y "

13/1

SHERISTADAR.

13-1-32

CKN.

THE HON'BLE THE RESIDENT IN MYSORE.

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No. 17 Dated Bangalore 20th February 1932.

N O T I F I C A T I O N.

Whereas it appears to the Hon'ble the Resident in Mysore that land is required for a public purpose, namely. for relief of congestion.

It is hereby declared that the undermentioned land is required for the said purpose.

This declaration is made under the provisions of section 6 of Act I of 1894 as applied to the Civil & Military Station of Bangalore, and under Section 7 of the said Act, the Collector of the Civil & Military Station is hereby directed to take order for the acquisition of the said land.

SPECIFICATION OF LAND.

Where situated.	Name of owner.	Description of land.	Area.	Boundaries.				Remarks.
				North.	East.	South.	West.	
3rd Division P.No.3 Street, Civil and Military Station, Bangalore.	Mr. Syed Khasim, No.40, P.No.3 St., Bangalore.	Formerly Nos. 41 & 42 Now vacant land. (Building site).	525 sq. ft.	Syed Khasim's house, No.40, P.No.3 St.	Municipal land (r o a d).	Municipal vacant land.	P. No. 3 Street.	The plan can be seen in the Collector's office.
	Mr.Ahmed Khan, No.43,P.No.3 St., Bangalore.	Premises No. 43, P.No.3 Street. (Building & land).	275 Sq.ft. of land with 275 sq.ft. of building thereon.					

for Secretary to the Resident.

To be published in the Mysore Residency Orders.

Copy forwarded to the Collector, Civil & Military Station, Bangalore, with reference to his letter No.4402-D-31, dated the 12th January 1932, for favour of necessary action.

The plan of the land is returned.

BJ